

## STAFF AND BENCH CUSTOMERS' MEMORANDUM OF UNDERSTANDING

John Gannon, Stephanie Montero, and Karoline Philip ("Bench Customers") intervened in the Idaho Public Utilities Commission ("PUC") Case No. SUZ-W-20-02 filed by Suez Water Idaho Inc. ("Suez"). The Bench Customers elected to withdraw their Petition to Intervene in exchange for this Memorandum of Understanding ("MOU") between Staff of the Idaho Public Utilities Commission ("Staff") and the Bench Customers. This MOU is not a contract, but represents Staff's intent to work in good faith with the Bench Customers and Suez to address concerns about water quality on the Boise Bench.

### BACKGROUND

Settlement discussions were held with all parties—including the Bench Customers and Commission Staff ("Staff")—in Case No. SUZ-W-20-02 on February 11, 25 and March 3 and 8, 2021. While settlement discussions and negotiations are confidential, the normal responsibilities of Commission Staff, and any agreements resulting from those discussions are not.

During discovery in Case No. SUZ-W-20-02, production requests and responses included numerous questions and answers regarding water quality on the Boise Bench.

Staff has authority to investigate water quality complaints, utility customer service, and investments in utility operations and maintenance.

As a result of Suez town hall meetings, production requests and responses Terri Carlock, Administrator of the PUC Staff, set up a Staff task force and directed Staff members to further investigate water quality concerns and actions taken by Suez to address those concerns.

The Bench Customers elected to withdraw from Case No. SUZ-W-20-02 because Staff will continue to investigate the water quality issues on the Boise Bench. This MOU sets forth the parties' understanding.

### MEMORANDUM OF UNDERSTANDING

1. **Areas Covered:** Staff and Bench Customers met on March 12, 2021 to discuss Staff's intent to track, investigate, monitor, evaluate, and provide a monthly review of the progress and comments that Suez has made toward improving the quality of drinking water on the Boise Bench. This includes the area between Vista Avenue and Roosevelt Street and the area West of the Morris Hill Cemetery including but not limited to Albion Street South to the Rim Street; areas in the vicinity of Broadway Avenue in which there are complaints; and such other

areas in which significant Boise Bench complaints regarding the quality of drinking water are brought to the attention of Commission Staff.

2. **Staff Task Force:** The Staff Task Force (“Task Force”) plans to continue Staff’s investigation on water quality issues for Suez customers. With the revenue requirement settlement completed between Suez, Staff, and many Intervenors, it will allow this Task Force to remain a priority for future staff involvement.

3. **Staff Task Force Evaluation to Include:**

- A. An ongoing review of Suez’s plans to address water quality, including changes to these plans, acceleration or delays in the timing of improvements, customer communications, and investments made.
- B. A review and consideration of remedies for service lines which abruptly end and result in the accumulation of rust and debris for customers served by those lines.
- C. A review and consideration of remedies for aging pipes, corrective actions, expected lifespan, and the timeline for their replacement.
- D. A review of flushing plans, the effectiveness of flushing events, and any changes to the ongoing flushing plan. Request an analysis of the effect that flushing twice a year has on appliances, water heaters, filter systems and other personal property in the home or business.

4. **Taggart Street Well:** Staff plans to monitor, track, and investigate progress on the Taggart Street Well (“Taggart Well”) rehabilitation to ensure the project is implemented in accordance with the plans and designs approved by the Idaho Department of Environmental Quality (“DEQ”). Staff recognizes that Boise City approved the construction in September 2020 and DEQ approved the plans and designs on March 2, 2021. Staff plans to monitor Suez’s compliance with a timeline that provides for work to commence in mid-September 2021<sup>1</sup> and be

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<sup>1</sup> The Bench Customers understand that well rehabilitation cannot happen now because of the upcoming high-water usage demands which the Taggart Well must service.

completed by December 2021.<sup>2</sup> Staff acknowledges the Bench Customers' contention and evidence that repair of the Taggart Well has been ongoing and, to date, is unresolved.

5. **Report to Bench Customers:** Staff plans to provide a Task Force summary report each month beginning April 15, 2021, on the tracking, investigation, and evaluations represented above in this MOU to the Bench Customers. Staff would provide this information by emailing to the following addresses:

[johnannon200@gmail.com](mailto:johnannon200@gmail.com)

[skiingupastorm@gmail.com](mailto:skiingupastorm@gmail.com)

[StephanieMontero@protonmail.com](mailto:StephanieMontero@protonmail.com)

Staff's summary report and other public information is available upon request to the Bench Customers and the public, unless the record is excepted from disclosure under the Idaho Public Records Act or Rules of Procedure of the Idaho Public Utilities Commission (IDAPA 31.01.01.000 through .356).

6. **Customer Complaints:** Suez Customers should contact Suez (208) 362-7304 with any complaints. If the results are unsatisfactory, customers may complain to the PUC by calling (208) 334-0369 or going to <https://puc.idaho.gov/Form/ConsumerAssistance>. Staff intends to track those contacts and the data provided by Suez customer complaints, and any information and data provided at the public hearing in the Suez rate case.

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This MOU and its contents may be made public. Each signatory below acknowledges that they are authorized to sign this MOU on behalf of themselves individually or the Staff of the PUC.

Dated this 15<sup>th</sup> day of March, 2021.


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<sup>2</sup> Unless Suez can show "good cause" for deviation from this timeline.

By   
JOHN GANNON

By   
STEPHANIE MONTERO

By   
KAROLINE PHILP

By   
TERRI CARLOCK  
Utilities Division Administrator  
Idaho Public Utilities Commission